



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Summary of Cases Accepted and Related Actions for Week of January 20, 2014

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#14-09 *In re Bell*, S151362. Original proceeding. In this case, which is related to the automatic appeal in *People v. Bell* (2007) 40 Cal.4th 582, the court issued an order to show cause why petitioner is not entitled to relief on the ground of juror misconduct.

#14-10 *State ex rel. Dept. of California Highway Patrol v. Superior Court*, S214221. (G047922; 220 Cal.App.4th 612; Orange County Superior Court; 30-2008-00116111.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case presents the following issue: Can the California Highway Patrol be considered the special employer of a tow truck driver participating in the Freeway Service Program?

#14-11 *People v. Stratis*, S214739. (B229225; nonpublished opinion; Los Angeles County Superior Court; KA083187.) Petition for review after the Court of Appeal remanded for resentencing in part and otherwise affirmed judgments of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Gutierrez*, S206365 (#13-01), and *People v. Moffett*, S206771 (#13-03), which present issues concerning the sentencing of juvenile offenders under Penal Code section 190.5, subdivision(b), in light of *Miller v. Alabama* (2012) 567 U.S. __ [132 S.Ct. 2455], as well as *People v. Banks*, S213819 (#13-107), which presents issues concerning the liability of an aider and abettor for a felony-murder special circumstance.

#14-12 *People v. Wilson*, S214831. (B244648; 220 Cal.App.4th 962; Los Angeles County Superior Court; MA052511.) Petition for review after the Court of Appeal

affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Scott*, S211670 (#13-62), which presents the following issue: Was defendant entitled to a county jail commitment under the Criminal Justice Realignment Act of 2011 when the trial court imposed and suspended execution of a prison sentence before the Act's effective date, but revoked probation and ordered execution of the sentence after the Act went into effect?

#14-13 *People v. Zarate*, S215117. (E054970; nonpublished opinion; Riverside County Superior Court; INF10002307.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Conley*, S211275 (#13-70), which presents the following issue: Does the Three Strikes Reform Act of 2012 (Pen. Code, §§ 667, subd. (e)(2)(C), 1170.12, subd. (c)(2)(C)), which reduces punishment for certain non-violent third-strike offenders, apply retroactively to a defendant who was sentenced before the Act's effective date but whose judgment was not final until after that date?

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The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.